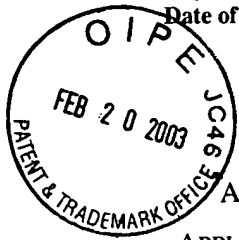


Express Mail Label No.: EV109727460US
Date of Deposit: February 20, 2003

Attorney Docket No.: 14688-505-401



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Rosenberg, et al.
APPLICATION NO. 10/098,620 EXAMINER : Not Yet Assigned
FILING DATE : March 18, 2002 ART UNIT : 2154
FOR : PERSONALIZED AUDIO SYSTEM AND METHOD

BOX IDS

Commissioner for Patents
Washington, D.C. 20231



30623

PATENT TRADEMARK OFFICE

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (3 pages), in duplicate;
3. Cited References A1-A66; and B1; and C1-C6; and
4. Return Postcard.

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If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 14688-505-401. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

A. Jason Mirabito, Reg. No. 28,161

C. Eric Schulman, Reg. No. 43,350

Attorneys for Applicants

MINTZ, LEVIN, COHN, FERRIS,

GLOVSKY and POPEO, P.C.

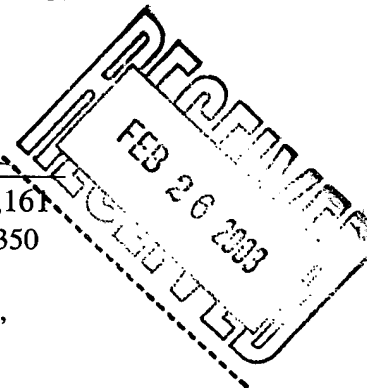
One Financial Center

Boston, Massachusetts 02111

Tel: (617) 542-6000

Fax: (617) 542-2241

Dated: February 20, 2003



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INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits in the above-identified case. Accordingly, no fee or certification is believed to be required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: Rosenberg, et al.
U.S.S.N.: 10/098,620

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 14688-505-401.

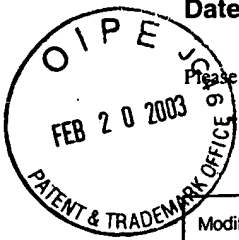
Respectfully submitted,



A. Jason Mirabito, Reg. No. 28,161
C. Eric Schulman, Reg. No. 43,350
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Dated: February 20, 2003

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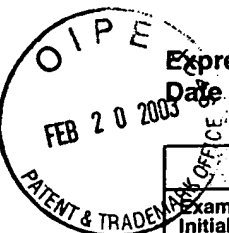
Modified Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	Application Number	10/098,620
	Filing Date	March 18, 2002
	First Named Inventor	Rosenberg et al.
	Group Art Unit	2154
	Examiner Name	Not Yet Assigned
	Attorney Docket Number	14688-505-401

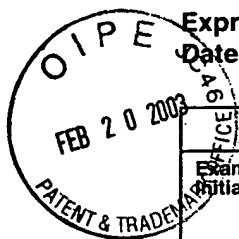
U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate mm/dd/yyyy
	*A1	5,341,350		Frank et al.			08/23/1994
	*A2	5,355,302		Martin et al.			10/11/1994
	*A3	5,365,381		Scheffler			11/15/1994
	*A4	5,418,654		Scheffler			05/23/1995
	*A5	5,481,296		Cragun et al.			01/02/1996
	*A6	5,534,911		Levitan			07/09/1996
	*A7	5,550,863		Yurt et al.			08/27/1996
	*A8	5,557,541		Schulhof et al.			09/17/1996
	*A9	5,585,866		Miller et al.			12/17/1996
	*A10	5,590,282		Clynes			12/31/1996
	*A11	5,592,511		Schoen et al.			01/07/1997
	*A12	5,616,876		Cluts			04/01/1997
	*A13	5,617,565		Augenbraun et al.			04/01/1997
	*A14	5,629,867		Goldman			05/13/1997
	*A15	5,635,986		Rothmuller			06/03/1997
	*A16	5,636,276		Brugger			06/03/1997
	*A17	5,675,734		Hair			10/07/1997
	*A18	5,708,780		Levergood et al.			01/13/1998
	*A19	5,726,909		Krikorian			03/10/1998
	*A20	5,734,719		Tsevdos et al.			03/31/1998
	*A21	5,734,961		Castille			03/31/1998
	*A22	5,754,939		Herz et al.			05/19/1998
	*A23	5,761,662		Dasan			06/02/1998
	*A24	5,781,889		Martin et al.			07/14/1998
	*A25	5,793,980		Glaser et al.			08/11/1998

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U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate mm/dd/yyyy
	*A26	5,809,246		Goldman			09/15/1998
	*A27	5,819,049		Rietmann			10/06/1998
	*A28	5,819,160		Foladare et al.			10/06/1998
	*A29	5,841,979		Schulhof et al.			11/24/1998
	*A30	5,848,398		Martin et al.			12/08/1998
	*A31	5,861,906		Dunn et al.			01/19/1999
	*A32	5,899,699		Kamiya			05/04/1999
	*A33	5,900,830		Scheffler			05/04/1999
	*A34	5,918,213		Bernard et al.			06/29/1999
	*A35	5,926,624		Katz et al.			07/20/1999
	*A36	5,930,765		Martin			07/27/1999
	*A37	5,930,768		Hooban			07/27/1999
	*A38	5,931,901		Wolfe et al.			08/03/1999
	*A39	5,944,608		Reed et al.			08/31/1999
	*A40	5,959,945		Kleiman			09/28/1999
	*A41	5,968,120		Guedalia			10/19/1999
	*A42	5,969,283		Looney et al.			10/19/1999
	*A43	5,980,261		Mino et al.			11/09/1999
	*A44	5,986,692		Logan et al.			11/16/1999
	*A45	5,991,374		Hazenfield			11/23/1999
	*A46	6,011,761		Inoue			01/04/2000
	*A47	6,011,854		Van Ryzin			01/04/2000
	*A48	6,021,432		Sizer et al.			02/01/2000
	*A49	6,038,591		Wolfe et al.			03/14/2000
	*A57	6,055,566		Kikinis			04/25/2000
	*A50	6,085,235		Clarke et al.			07/04/2000
	*A51	6,088,455		Logan et al.			07/11/2000
	*A52	6,088,722		Herz et al.			07/11/2000
	*A53	6,105,060		Rothblatt			08/15/2000
	*A54	6,135,646		Kahn et al.			10/24/2000
	*A55	6,154,772		Dunn et al.			11/28/2000
	*A58	6,161,142		Wolfe et al.			12/12/2000
	*A56	6,192,340		Abecassis			02/20/2001
	*A59	6,223,292		Dean et al.			04/24/2001

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	*A60	6,226,030		Harvey et al.			05/01/2001
	*A61	6,226,618		Downs et al.			05/01/2001
	*A62	6,232,539		Looney et al.			05/15/2001
	*A63	6,243,725		Hempleman et al.			06/05/2001
	*A64	6,246,672		Lumelsky			06/12/2001
	*A65	6,253,237		Story et al.			06/26/2001
	*A66	Re. 29,997		Toonder			05/15/1979

FOREIGN PATENT DOCUMENTS					
Exam Initials	Cite No.	Foreign Patent Document Office Number		Name of Patentee(s) or Applicant(s)	Date of Publication mm/dd/yyyy
	*B1	WO	01/36064	Clickradio, Inc.	05/25/2001

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	*C1	AudioReQuest, MP3 Home Stereo Jukebox, ReQuest, Inc.-Company Info., and NSI-WHOIS Search Results. Pages from the web site for www.request.com owned by ReQuest, Inc.
	*C2	Clark, D. (2000). "Click radio to put a DJ in your PC." <i>WSJ Interactive Edition</i> .
	*C3	"ClickRadio granted first interactive radio license by universal music group." 3 pages. From the web site at www.clickradio.com , printed April 26, 2000.
	*C4	Gordon, C. (2000). "Click radio sidesteps competition with music licensing deals." <i>Atnewyork.com</i> .
	*C5	Press Release. (12/30/2000). "Phillips showcases click radio on digital set-top at western show 2000." <i>Phillips</i> .
	*C6	Six pages from the web site for www.sonicnet.com .

* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 09/800,956, filed March 8, 2001, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

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